



Attorney Docket: 004444.P003

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Group 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Giordano

Serial No.: 09/480,731

Filed: January 6, 2000

For: METHOD AND APPARATUS  
FOR AUTOMATIC PRODUCT  
LISTING

)  
) Examiner: K. Rice  
)

) Art Unit: 2167  
)

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Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE

Dear Sir:

In response to the Office Action mailed November 6, 2001, Applicant respectfully requests the Examiner to consider the following remarks.

REMARKS

Claim Rejections – 35 U.S.C. § 102 (b)

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,835,372 issued to Gombrich et al. (*Gombrich*). The Applicant respectfully traverses the rejections.

MPEP § 2131 states:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical